

**FY 2009 Tribal Courts Assistance Program (TCAP)
Frequently Asked Questions (FAQs)**

1. Who is eligible to apply?

Applicants are limited to federally recognized tribal governments, including eligible Alaska Native villages and corporations, and authorized intertribal consortia. (Note: Eligibility is defined under the Indian Self Determination Act, 25 U.S.C. 450b(e).) Recipients of prior BJA tribal court planning grants may only apply under Category II. Tribes that received grants in FY 2007 and FY 2008 are not eligible for FY 2009 supplemental funding. (See Eligibility, page 2 of the solicitation for full details.)

2. If a tribe has an existing FY 2007 or 2008 grant, why can't it apply in FY 2009?

This policy was established because FY 2007 and FY 2008 grant recipients have "active projects" and by limiting the pool of applicants, BJA is responding to the field by working to enhance opportunities for tribes not having received recent grant awards.

3. Can Territories or indigenous Hawaiian organizations apply?

No, only federally recognized American Indian and Alaska Native tribal governments, including eligible Alaska Native villages and corporations and authorized intertribal consortia may apply.

4. Is a tribal resolution required as part of the application package?

Yes. All applications must be accompanied by a current authorizing resolution of the governing body or other enactment of the tribal council or comparable government body.

5. What can be funded under the Tribal Courts Assistance Program?

Funding strategies may include, but are not limited to: (a) planning and implementing a single tribe or intertribal court; and (b) enhancing the operation of existing tribal courts, including establishing a core structure for a tribal court, improving case management, training court personnel, developing civil and criminal code, acquiring equipment and software, enhancing prosecution and indigent defense, supporting probation diversion and alternative sentencing, designing services and multidisciplinary protocols for juvenile victims of physical and sexual abuse, and structuring intertribal or tribal appellate systems.

6. What are the requirements under Category III funding?

In FY 2009, BJA is accepting applications from federally recognized tribal governments to plan and implement tribal justice strategies to address crime and safety issues in their community in collaboration with other tribal justice components such as law enforcement and corrections. BJA will award up to three grants under this category. Grantees under this category will be required to complete a strategic plan and participate in intensive training and technical assistance programs from BJA throughout the grant period. In addition, grantees will be allowed to utilize \$75,000 of the funds during the first year of the award. The remaining \$100,000 will be released to the grantee once the strategic plan has been completed and approved by BJA.

7. Is it a requirement to have an advisory team?

Yes, all applicants must establish an advisory team for the project. The advisory team should include a well-rounded representation of the tribal criminal justice system including, but not limited to: elected tribal leaders, judges(s), court personnel, law enforcement, corrections/community corrections, treatment services, and the community. Applicants must

be able to address in their application the composition of the advisory team and how the team members will support the implementation of the proposed project.

8. Can a tribe with a service population of less than 1,000 apply to plan and implement a Single Tribe Court System?

Yes. Under Category I: Planning and Implementing an Intertribal Court System, tribal governments or consortia of tribal governments of any size can apply to plan and implement a new tribal court system. Tribes with a service population of less than 1,000 should apply as part of intertribal consortia. However, should distances and/or inhospitable terrain adversely impact the development of a collaborative partnership for tribes serving populations of less than 1,000, a tribe may apply as a single entity by including this justification in their submission.

9. Can tribes apply for more than designated award totals?

Tribes may apply for up to the maximum amount noted under each Category and no more. Any submission requesting more than the designated amount shall be deemed ineligible and not be reviewed for grant award consideration. (See Award Categories, page 3.)

10. May the applicant designate which of the performance measures listed apply to its project, or is the applicant expected to address all performance measures?

Applicants are expected to address all performance measures. They must describe their ability, through a formal process, to collect information related to the performance measures listed in the solicitation (page 4).

11. What are the definitions of integration tools or system tools as listed in the performance measures?

Integration tools or system tools are the mechanisms that will be used to automate and integrate the justice information system. These tools will enable the justice information system to execute and answer queries. Grantees who are developing and/or enhancing their tribal justice information systems should be able to identify the number of tools being developed, as well as identify when the tools have been completed.

12. Is match required? Are there budgetary restrictions regarding personnel?

No, match is not required. If a position is supported with BJA funds, total costs associated with "salary and fringe benefits" may not exceed 50 percent of the grant.

13. The solicitation states that federally recognized tribes or intertribal consortia may apply. What is a consortium? Can a tribe submit more than one application under the program?

A consortium is two or more tribes that agree to partner together to submit an application; however, only one tribe may serve as the consortium's applicant agency. (Note: A tribe may either submit its own application or be part of a consortium, but not both.) In order for the consortium's submission to be valid, applicants must include written authorization from each federally recognized tribe and certify that the partnership was established before the program's/solicitation's deadline.

14. Do tribes have to allocate a specific amount over the project period to cover travel and other costs for attending BJA training/court-related meetings?

Technical assistance and training remains a critical component toward planning, implementing, enhancing, and sustaining tribal justice systems. Grantees are required to set

aside 10 percent of the maximum award amount to cover travel and costs for BJA/OJP sponsored/approved trainings.

15. The solicitation did not list available funding or the number of awards. Is this known?

Awards are subject to the availability of FY 2009 appropriated funds. In FY 2008, 38 awards were provided to tribes under this solicitation.

16. Is there a budget format or sample that is available?

Applicants must submit a budget worksheet and budget narrative in one file. A fillable budget detail worksheet is available on the Office of Justice Programs web site at www.ojp.usdoj.gov/funding/forms/budget_detail.pdf.

17. Does the 10-page limit include Attachments 1, 2, and 3 or only Attachment 1?

The 10-page limit pertains only to the Program Narrative, Attachment 1. See page 6 of the solicitation for further details.

18. Instructions state that the budget worksheet and narrative should be submitted in one file. The worksheet is a fill-in-the-blanks form. Where will the narrative appear?

The budget worksheet and narrative must be submitted as one document; a sample is found through the hyperlink listed on page 6 of the solicitation. The form provided can be copied and saved into a WordPerfect or Word document, and the narrative can be added after the worksheet information. Please recognize that the Budget Detail Worksheet is used as a guide to assist the reviewers in comparing activities proposed with budget items requested. We also recommend that you visit the Office of the Chief Financial Officer's (OCFO) [web page](#) for additional assistance related to your budget.

19. What is the funding opportunity for this solicitation?

The opportunity number is BJA-2009-1952.

20. There are three competitive identifications on Grants.gov for this solicitation. Which one should I apply under?

- If you are applying for Category I: Planning and Implementing a Single-Court or Inter-tribal Court system, the competition identification is BJA-2009-1956.
- If you are applying for Category II: Enhancing and Continuing the Operation of Tribal Courts, the competition identification is BJA-2009-1955.
- If you are applying for Category III: Planning and Implementing Tribal Justice Systems, the competition identification is BJA-2009-1954.